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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,732	11/29/2000	Peter Joseph Giacomini	500-001US	9621

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DEMONT & BREYER, LLC  
SUITE 250  
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HOLMDEL, NJ 07733

EXAMINER
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VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/725,732

Applicant(s)

GIACOMINI ET AL.

Examiner

Thong H. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. Claims 1-22 are pending.
2. Applicant required to update the copending information, paragraph [0001,0064].

***Response to Arguments***

3. Applicant's arguments filed 6/23/05 with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention lacks patentable utility such as a computer implementing, a processor, computer readable medium, etc.

***Claim Rejections - 35 USC § 112***

5. Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention (i.e.: "a processor for retrieving a second resource ..." It should be "a second processor ...."). Examiner suggest the applicant revises/cleans the claim languages wherein the first processor without a second processor that does not make any sense. The consistent of independent claims could merit in the application process.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. § 102(b) as anticipated by Draves [5,802,590].

6. As per claim 1, Draves discloses a method comprising:

hashing at a first processor (i.e.: client or server) a first resource identifier to create a hash key, wherein said first resource identifier identifies a first resource [Draves, a kernel operating system generated resource identifier contained a handle/key pair using a resource table, col 3 lines 39-62];

transmitting from said first processor to a second processor (i.e.: from client-server or server-client) said hash key and a request for said first resource [Draves, the handle/key pair is passed to the process that requested the resource, col 3 lines 39-62];

receiving at said first processor a second resource in response to the transmission of said hash key and said request for said first resource [Draves, received resource key, col 7 lines 17-57; col 9 lines 1-30].

7. As per claims 2,9 Draves discloses receiving at said first processor a second resource identifier in response to the transmission of said hash key and said request for said first resource [Draves, resource identifier, col 3 lines 39-62].

8. As per claims 3,10 Draves discloses said first processor verifies that said second resource is said first resource by comparing said second resource identifier to said first resource identifier [Draves, verify access routine and comparing, col 5 lines 37-60].

9. As per claims 4,11 Draves discloses transmitting from said first processor to said second processor said first resource identifier in addition to said hash key and said request for said first resource [Draves, the handl/key pair is passed to the process that requested the resource, col 3 lines 39-62].

10. As per claims 5,12 Draves discloses said second processor stores said second resource and said second resource identifier in a data structure that is indexed by said hash key [Draves, index, col 4 lines 1-47].

11. As per claims 6,13 Draves discloses said second processor verifies that said second resource is said first resource by comparing said second resource identifier to said first resource identifier [Draves, verify access routine and comparing, col 5 lines 37-60].

12. As per claims 7,14 Draves discloses said hash key and said request for said first resource are transmitted from said first processor to said second processor when said all (or a portion) of said hash key is contained in a list of valid hash keys associated with

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said first processor [Draves, the handle contains an index into resource table, col 3 lines 38-62].

13. As per claim 8, Draves discloses An apparatus comprising:

a first processor for hashing a first resource identifier to create a hash key, wherein said first resource identifier identifies a first resource [Draves, a kernel operating system generated resource identifier contained a handle/key pair using a resource table, col 3 lines 39-62];

a transmitter for transmitting said hash key and a request for said first resource to a second processor [Draves, the handle/key pair is passed to the process that requested the resource, col 3 lines 39-62]; and

a receiver for receiving a second resource in response to the transmission of said hash key and said request for said first resource [Draves, received resource key, col 7 lines 17-57; col 9 lines 1-30].

14. As per claim 15, Draves discloses A method comprising:

receiving a request for a first resource and a hash key that is a hashed function of a first resource identifier [Draves, hash function, resource identifier, handle/key pair, a resource table, col 3 lines 39-62];

retrieving said first resource and said first resource identifier from a data structure (i.e.: resource table, list, index, database) that is indexed by said hash key [Draves, generated an index into the resource table, col 3 lines 39-62]; and

transmitting said first resource and said first resource identifier in response to said request for said first resource [Draves, the handle/key pair is passed to the process that requested the resource, col 3 lines 39-62].

15. As per claim 16, Draves discloses An apparatus comprising:

a receiver for receiving a request for a first resource and a hash key that is a hashed function of a first resource identifier [Draves, hash function, resource identifier, handle/key pair, a resource table, col 3 lines 39-62];

a processor (i.e.: client process or server process) for retrieving said first resource and said first resource identifier from a data structure that is indexed by said hash key [Draves, client-server process, Fig 1; resource identifier, index, a resource table, col 3 lines 39-col 4 lines 56]; and

a transmitter for transmitting said first resource and said first resource identifier in response to said request for said first resource [Draves, the handle/key pair is passed to the process that requested the resource, col 3 lines 39-62].

16. As per claim 17, Draves discloses A method comprising:

receiving at a first processor a first resource identifier that identifies a first resource, a hash key that is a hashed function of said first resource identifier, and a request for a first resource [Draves, hash function, resource identifier, handle/key pair, a resource table, col 3 lines 39-62];

retrieving a second resource and a second resource identifier from a data structure that is indexed by said hash key [Draves, returns a resource identifier, col 7 line 17-col 8 line 23];

verifying that said second resource is said first resource by comparing said second resource identifier to said first resource identifier [Draves, verify access routine and comparing, col 5 lines 37-60]; and

transmitting said second resource to said first processor when said second resource is verified as said first resource [Draves, the handle/key pair is passed to the process that requested the resource, col 3 lines 39-62].

17. As per claim 18, Draves discloses An apparatus comprising:

a receiver for receiving at a first processor a first resource identifier that identifies a first resource, a hash key that is a hashed function of said first resource identifier, and a request for a first resource [Draves, hash function, resource identifier, handle/key pair, a resource table, col 3 lines 39-62];

a processor for retrieving a second resource and a second resource identifier from a data structure that is indexed by said hash key [Draves, a new resources table of the desired size, col 6 lines 3-20], and for verifying that said second resource is said first resource by comparing said second resource identifier to said first resource identifier [Draves, verify access routine and comparing, col 5 lines 37-60]; and

a transmitter for transmitting said second resource to said first processor when said second resource is verified as said first resource [Draves, the handle/key pair is



passed to the process that requested the resource, col 3 lines 39-62].

18. As per claim 19, Draves discloses A method comprising:

hashing at a first processor a first resource identifier to create a hash key, wherein said first resource identifier identifies a first resource [Draves, hash function, resource identifier, handle/key pair, a resource table, col 3 lines 39-62];

transmitting from said first processor to a second processor said hash key and a request for said first resource when said all or a portion of said hash key is contained in a list of valid hash keys associated with said first processor [Draves, handle/key pair, a resource table, index, col 3 lines 39-62]; and

receiving at said first processor said first resource in response to the transmission of said hash key and said request for said first resource [Draves, returns a resource identifier, col 7 line 17-col 8 line 23];

19. As per claim 20, Draves discloses An apparatus comprising:

a processor for hashing at a first processor a first resource identifier to create a hash key, wherein said first resource identifier identifies a first resource, and for verifying that all or a portion of said hash key is contained in a list of valid hash keys [Draves, verify access routine and comparing, col 5 lines 37-60];

a transmitter for transmitting from said first processor to a second processor said hash key and a request for said first resource [Draves, client process, server process, col 4 lines 47-56, Fig 2]; and

a receiver for receiving said first resource in response to the transmission of said hash key and said request for said first resource [Draves, returns a resource identifier, col 7 line 17-col 8 line 23];

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-22 are rejected under 35 U.S.C. 103(a) as obvious over Draves [5,802,590] in view of Takahashi et al [Takahashi, 5,428,774].

20. As per claim 21, Draves discloses A method comprising:

receiving at a first processor a request for a first resource and a first hash key that is a hashed function of a first resource identifier [Draves, hash function, resource identifier, handle/key pair, a resource table, col 3 lines 39-62];

transmitting said second resource to said first processor when said second resource is verified as said first resource [Draves, the handle/key pair is passed to the process that requested the resource, col 3 lines 39-62];

Draves also teaches verify access routine and comparing [Draves, col 5 lines 37-60] . However Draves does not detail the

retrieving a second resource and a first portion of a second hash key from a data structure that is indexed by a first portion of said first hash key;

verifying that said second resource is said first resource by comparing a second portion of said first hash key to said first portion of said second hash key; and

Takahashi discloses the hash function applied the attribute values to be compared wherein the index file is verified by comparing the second half of I1 to the first half of I2 and first half of I1 with the latter half of I2 [Takahashi,col 2 line 49-col 3 line 28]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the comparing process using the first and second portion of frame or key as taught by Takahashi into the Draves' apparatus in order to utilize the comparing process. Doing so would provide the efficiency and reliable process to allocate the retrieval key values [Takahashi, col 4 lines 15-40].

21. As per claim 22, Draves discloses An apparatus comprising:

a receiver for receiving at a first processor a request for a first resource and a first hash key that is a hashed function of a first resource identifier;

a processor for retrieving a second resource and a first portion of a second hash key from a data structure that is indexed by a first portion of said first hash key [Takahashi,col 2 line 49-col 3 line 28], and for verifying that said second resource is said first resource by comparing a second portion of said first hash key to said first portion of said second hash key [Takahashi,col 2 line 49-col 3 line 28]; and

a transmitter for transmitting said second resource to said first processor when said second resource is verified as said first resource [Draves, a new resources table of the desired size, col 6 lines 3-20].

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***Thong Vu***  
***Patent Examiner***  
***Art Unit 2142***

A handwritten signature in black ink, appearing to read 'Thong Vu', with a horizontal line underneath.